



ZFW

Practitioner's Docket No. 2002-IP-007848U1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____
Inventor(s)

for _____
Title of invention

OR

In re application of: Larry S. Eoff, et al

Application No.: 0 10 / 780,995

Group Art Unit:

Filed: 02/18/2004

Examiner:

For: Methods of Reducing the Permeabilities of Horizontal Well Bore Sections

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
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I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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Tammy Knight

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* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: 37 C.F.R. 1.98(b):

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

WARNING: No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 609, M.P.E.P., 8th Edition.

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

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SIGNATURE OF PRACTITIONER

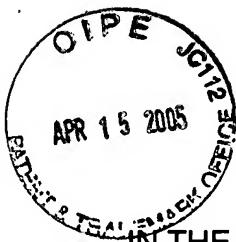
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PATENT 2002-IP-007848U1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Larry S. Eoff, et al)	
)	Art Unit: Unknown
Serial No.:	10/780,995)	
)	
Filed:	02/18/2004)	Examiner: Unknown
)	
For:	Methods of Reducing the)	
	Permeabilities of Horizontal)	
	Well Bore Sections)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

SIR:

The following documents are known to Applicants or Applicants' attorneys and are submitted for the Examiner to consider in the above-captioned application.

U. S. PATENTS

U.S. Patent Number 3,434,971 issued 03/25/69 to Bobby L. Atkins;
U.S. Patent Number 3,910,862 issued 10/07/75 to Eugene S. Barabas, et al;
U.S. Patent Number 4,299,710 issued 11/10/81 to Jean Dupre, et al;
U.S. Patent Number 4,554,081 issued 11/19/85 to John K. Borchardt, et al;
U.S. Patent Number 4,563,292 issued 01/07/86 to John K. Borchardt, et al;
U.S. Patent Number 4,627,926 issued 12/09/86 to Dennis G. Peiffer, et al;
U.S. Patent Number 4,699,722 issued 10/13/87 to Brian Dymond, et al;

U.S. Patent Number 4,959,432 issued 09/25/90 to You-Ling Fan, et al;
U.S. Patent Number 5,244,042 issued 09/14/93 to Hoai T. Dovan, et al;
U.S. Patent Number 5,342,530 issued 08/30/94 to Carl W. Aften, et al;
U.S. Patent Number 5,669,456 issued 09/23/97 to Annie Audibert, et al;
U.S. Patent Number 5,972,848 issued 10/26/99 to Annie Audibert, et al, (US
English equivalent of PCT WO 93/15164, published 08/05/93);
U.S. Patent Number 5,979,557 issued 11/09/99 to Roger J. Card, et al;
U.S. Patent Number 6,187,839 B1 issued 02/13/01 to Larry Eoff, et al;
U.S. Patent Number 6,237,687 B1 issued 05/29/01 to John Phillip Barbee, Jr., et
al;
U.S. Patent Number 6,253,851 B1 issued 07/03/01 to Donald E. Schroeder, Jr.,
et al;
U.S. Patent Number 6,380,137 B1 issued 04/30/02 to Karl Heinz Heier, et al,
(US English Equivalent of European Patent EP 1 033 378 A1, published
09/06/00);
U.S. Patent Number 6,476,283 B1 issued 11/05/02 to David D. Devore, et al;
U.S. Patent Number 6,516,885 B1 issued 02/11/03 to Keith Munday;
U.S. Patent Number 6,609,578 B2 issued 08/26/03 to Arvind D. Patel, et al;
U.S. Patent Number 6,710,107 B2 issued 03/23/04 to Annie Audibert, et al;
U.S. Patent Application Publication Number 2003/0019627 A1 published
01/30/03 by Qi Qu, et al; and

U.S. Patent Application Publication Number 2004/0102331 A1 published
05/27/04 by Keng Seng Chan, et al.

FOREIGN PATENTS

German Patent Number DT 2 250 552 published 04/18/74 by Eugene Sigmund
Barabas, et al;

European Patent Number 0 383 337 A2 published 08/22/90 by Naim Abdul-
Kader Mumallah;

European Patent Number 0 896 122 A2 published 02/10/99 by Eldon D.
Dalrymple, et al (including A3);

European Patent Number 1 033 378 A1 – See Equivalent English Translation
U.S. Patent Number 6,380,137 B1;

European Patent Number 1 193 365 A1 published 04/03/02 by Larry S. Eoff, et
al;

European Patent Number 1 312 753 A1 published 05/21/03 by George J.
Hirasaki, et al;

UK Patent Application Number GB 2 221 940 A published 02/21/90 by James V.
Fisk, Jr.;

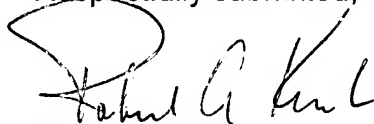
Int'l Publication Number WO 93/15164 – See Equivalent English Translation
U.S. Patent Number 5,972,848;

PAPERS/OTHER

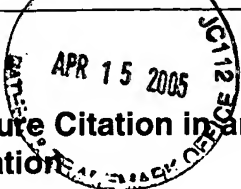
None.

Copies of the aforementioned non-patent references and Form PTO-1449
are submitted herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Kent". The signature is written in a cursive style with a large, looping initial "R".

Robert A. Kent
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580-251-3125

PTO-1449		Application No. 10/780,995	Applicant(s) Larry S. Eoff, et al	
		Docket Number 2002-IP-007848U1	Group Art Unit	Filing Date 02/18/2004
Information Disclosure Citation in an Application				

U.S. PATENT DOCUMENTS

		DOCUMENT NO.	ISSUE/ PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
		3,434,971	03/25/69	Atkins	252	8.55	08/25/65
		3,910,862	10/07/75	Barabas, et al	260	79.3MU	08/27/73
		4,299,710	11/10/81	Dupre, et al	252	8.5A	05/30/75
		4,554,081	11/19/85	Borchardt, et al	252	8.5A	05/21/84
		4,563,292	01/07/86	Borchardt	252	8.55R	08/02/84
		4,627,926	12/09/86	Peiffer, et al	252	8.55R	09/19/84
		4,699,722	10/13/87	Dymond, et al	252	8.551	05/23/85
		4,959,432	09/25/90	Fan, et al	526	287	07/18/88
		5,244,042	09/14/93	Dovan, et al	166	270	02/26/92
		5,342,530	08/30/94	Aften, et al	252	8.551	05/04/92
		5,669,456	09/23/97	Audibert, et al	175	72	07/01/96
		5,972,848 (English Equiv. of WO 93/15164)	10/26/99	Audibert, et al	507	119	10/15/96
		5,979,557	11/09/99	Card, et al	166	300	05/29/97
		6,187,839 B1	02/13/01	Eoff, et al	523	130	03/03/99
		6,237,687 B1	05/29/01	Barbee, Jr., et al	166	278	06/09/99
		6,253,851 B1	07/03/01	Schroeder, Jr., et al	166	278	09/20/99
		6,380,137 B1 (English Equiv. of EP 1 033 378 A1)	04/30/02	Heier, et al	507	121	03/02/00
		6,476,283 B1	11/05/02	Devore, et al	585	250	06/29/00
		6,516,885 B1	02/11/03	Munday	166	295	01/26/99
		6,609,578 B2	08/26/03	Patel, et al	175	64	06/18/01
		6,710,107 B2	03/23/04	Audibert, et al	524	5	02/09/01
		US 2003/0019627 A1	01/30/03	Qu, et al	166	281	01/17/02
		US 2004/0102331 A1	05/27/04	Chan, et al	507	100	11/22/02

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

PTO-1449 Information Disclosure Citation in an Application	Application No. 10/780,995	Applicant(s) Larry S. Eoff, et al	
	Docket Number 2002-IP-007848U1	Group Art Unit	Filing Date 02/18/2004

U.S. PATENT DOCUMENTS

		DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							Yes	No
		DT 2 250 552	04/18/74	Germany	39b4	19/00	X	
		EP 0 383 337 A2	08/22/90	Europe	E21B	33/138	X	
		EP 0 896 122 A2	02/10/99	Europe	E21B	33/138	X	
		EP 1 033 378 A1 (See Equivalent, US 6,380,137 B1)	-	-	-	-		X
		EP 1 193 365 A1	04/03/02	Europe	E21B	33/138	X	
		EP 1 312 753 A1	05/21/03	Europe	E21B	33/138	X	
		GB 2 221 940 A	02/21/90	UK	C09K	7/02	X	
		WO 93/15164 (See Equivalent, US 5,972,848)	-	-	-	-		X

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.